

Rules of Department of Economic Development

Division 85—Division of Community and Economic Development

Chapter 3—Enterprise Zone Program

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 85—Division of Community and Economic Development Chapter 3—Enterprise Zone Program

4 CSR 85-3.010 Enterprise Zone Program

PURPOSE: *The Division of Commerce and Industrial Development, in conjunction with the Division of Community and Economic Development, Department of Economic Development, has the responsibility to approve or disapprove petitions for designation as an enterprise zone. This rule establishes guidelines to assist the applicant in the implementation of an Enterprise Zone Program.*

(1) The Enterprise Zone Program is designed to accomplish three (3) fundamental objectives. These are to a) reduce unemployment by creating jobs, b) eliminate blight through rehabilitation of area buildings and facilities and c) improve local economy by fostering new entrepreneurship. The program is designed to exclusively serve areas with a history of pervasive poverty, unemployment and general distress.

(2) The Division of Community and Economic Development shall administer the Enterprise Zone Program in cooperation with the Department of Revenue. The Division of Community and Economic Development shall provide necessary assistance to the applicant wishing to take advantage of the Enterprise Zone Act.

(3) As used in the implementation of the Enterprise Zone Act, the following terms mean:

(A) Applicant is that governing authority holding primary legislative authority over a county or incorporated municipality which meets the criteria set forth under sections 135.200–135.205, RSMo and is requesting designation of its jurisdiction as an enterprise zone;

(B) Blight is any condition that impairs growth, halts prosperity and causes decline or decay; and

(C) Entrepreneurship is the activity of newly establishing, organizing and operating business ventures.

AUTHORITY: *section 135.250, RSMo 1986.* Emergency rule filed March 2, 1984, effective March 12, 1984, expired June 12, 1984. Original rule filed March 2, 1984, effective June 11, 1984.*

**Original authority: 135.250, RSMo 1982, amended 1985, 1986, 1989, 1991.*

4 CSR 85-3.020 The Application Process

PURPOSE: *Any governing authority, which qualifies as an applicant as defined under 4 CSR 85-3.010, may file a petition for designation as an enterprise zone. This rule establishes the procedures for submitting petitions and the criteria and priorities for the approval or disapproval of such petitions.*

(1) Public Hearing Requirements. After the governing authority determines that it meets the criteria listed in section 135.205, RSMo it shall hold a public hearing as set forth under section 135.210(1), RSMo. The governing authority shall promptly deliver a copy of the published notice of public hearing required under section 135.210, RSMo to the division.

(2) Petition. After a public hearing is held, the governing authority may file a petition with the division requesting the designation of a specific area as an enterprise zone. This petition shall include:

(A) Zone Description. The description should be a thorough yet concise report which demonstrates widespread deterioration in the proposed zone. The applicant shall include the information required under section 135.205, RSMo and should specifically discuss the following:

1. General condition of residential and commercial structures;
2. Condition of infrastructure;
3. Crime statistics;
4. A list of existing businesses;
5. Review of business loss over the past ten (10) years; and
6. Comparative rate of social and economic decline;

(B) Zone Planned Development. The applicant shall provide plans as listed under section 135.210. Plans shall specify—

1. Objectives;
2. Implementation plan; and
3. Reasonable timetables for implementation;

(C) Description of Intra Zone Compatibility. The petition will include a description of how the proposed enterprise zone is compatible with general land use characteristics. In addition the applicant should demonstrate an adequate labor supply and a reasonable amount of space for expansion;

(D) Firm Public Commitment. Proposed zones which require public resources (infrastructure) and improvements to those resources must provide documented assur-

ances from the chief executive officer of the resource that adequate service will be provided; and

(E) Assurances Against Loss of Employment. The applicant shall provide documented assurance that a new business facility wishing to locate within the proposed zone will not result in a loss of employment within Missouri.

(3) Filing Procedures.

(A) Petition Forms. All petitions shall be made on the forms supplied by the Division of Community and Economic Development. The division may request any additional information it determines necessary to evaluate a petition.

(B) Filing Periods and Limitations. Petitions may be filed at the discretion of the applicant during each calendar year.

(C) The director of the department promptly shall reply with general acknowledgement of receipt of the petition submitted.

(D) Zone Size. Zones shall be limited in size according to population limits established by section 135.205(4), RSMo.

(4) Review. The director shall review the contents of the petition and any other related data and shall determine whether the enterprise zone satisfies the statutory requirements as an enterprise zone. In addition, the director shall determine the potential effect that a proposed enterprise zone designation may have on other proposed or existing enterprise zone(s). Should s/he determine that a proposed designation diminishes another enterprise zone's ability to support reasonable economic growth or reasonable tax assessment, s/he may disapprove the proposed enterprise zone designation.

AUTHORITY: *section 135.250, RSMo 1986.* Emergency rule filed Feb. 9, 1983, effective Feb. 19, 1983, expired June 19, 1983. Original rule filed Feb. 9, 1983, effective May 12, 1983. Emergency amendment filed March 2, 1984, effective March 12, 1984, expired June 12, 1984. Amended: Filed March 2, 1984, effective June 11, 1984.*

**Original authority: 135.250, RSMo 1982, amended 1985, 1986, 1989, 1991.*

4 CSR 85-3.030 Designation

PURPOSE: *This rule establishes time tables for the announcement and issuing of designation status, requirements for continued eligibility and monitoring procedure.*



(1) Designation shall be approved by the director of the Department of Economic Development. Continued designation will require adherence to criteria listed under sections 135.210–135.255 and 353.060, RSMo.

(2) Designations shall be made at least thirty (30) days and not more than ninety (90) days from the day of receipt of the petition by the division as specified by the director.

(3) The director shall notify applicants of the disposition of their petitions promptly at the designated time of announcement.

(4) Monitoring report forms shall be provided by the Division of Community and Economic Development.

(5) Monitoring will consist of the following:

(A) An annual report which shall be filed by the governing authority with the Department of Economic Development during the first three (3)-month period of each calendar year except when designation began less than twelve (12) months prior to the first day of the first three (3)-month period in which case the governing authority shall submit the report during the first three (3)-month period of the following calendar year.

(B) The report shall include:

1. A review of improvements to residential and commercial structures;
2. A review of improvements or expansions to infrastructure;
3. An update on crime statistics;
4. Updated statistics and narrative pursuant to section 135.205, RSMo;
5. A list of newly established businesses, employment created and local incentives established;
6. A progress report describing efforts set forth under the applicants proposed objectives and timetables pursuant to section 135.210, RSMo;
7. A narrative outlining the effect of zone designation on the social and economic environment;
8. A description from the local assessor of procedures developed for adherence to section 135.215, RSMo. This shall include a report on exemptions requested and granted under section 135.215, RSMo;
9. A review of any involvement by a redevelopment corporation with section 135.255, RSMo and its adherence to section 135.255, RSMo. If assistance is requested under the provisions set forth under section 135.255, RSMo the review shall include documentation of this assistance; and

10. The division may request additional information it determines necessary for monitoring procedures; and

(C) A field review to be conducted at the discretion of the director of the Department of Economic Development. The review shall include analysis of plan implementation and related enterprise zone activities.

AUTHORITY: section 135.250, RSMo 1986.
Emergency rule filed Feb. 9, 1983, effective
Feb. 19, 1983 expired June 19, 1983.
Original rule filed Feb. 9, 1983, effective
May 12, 1983.*

**Original authority: 135.250, RSMo 1982, amended
1985, 1986, 1989, 1991.*



MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT
ECONOMIC DEVELOPMENT PROGRAMS

ANNUAL ENTERPRISE ZONE ACTIVITY AND STATUS REPORT

FOR REPORTING PERIOD JULY 1, 19____, TO JUNE 30, 19____.

TO THE DIRECTOR, DEPARTMENT OF ECONOMIC DEVELOPMENT

Pursuant to Sec. 135.210.5, RSMo 1986, as amended, the undersigned hereby reports the following enterprise zone activity for the aforementioned reporting period:

NAME OF ENTERPRISE ZONE:

NAME OF PERSON COMPLETING FORM:

PHONE NUMBER:

ADDRESS: STREET, P.O. BOX

CITY

STATE

ZIP CODE

PRIMARY EZ ADMINISTRATOR:

TITLE OF ADMINISTRATOR:

PHONE NUMBER:

FAX NUMBER:

ADDRESS: STREET, P.O. BOX

CITY

STATE

ZIP CODE

LOCAL GOVERNING AUTHORITY:

PHONE NUMBER:

CONTACT PERSON:

TITLE OF CONTACT PERSON:

IF THE ZONE CONSISTS OF BOTH INCORPORATED AND UNINCORPORATED PROPERTIES, PLEASE LIST THE FOLLOWING INFORMATION FOR BOTH CITY AND COUNTY GOVERNMENT:

NAME OF CONTACT	TITLE	ADDRESS	PHONE NUMBER
			()
			()
			()
			()
			()

ATTACH ADDITIONAL SHEETS IF NECESSARY

I. PLEASE PROVIDE A LIST OF ALL EXISTING BUSINESSES LOCATED WITHIN THE ENTERPRISE ZONE WHICH EXPANDED DURING THE REPORTING PERIOD:

NAME/ADDRESS OF BUSINESS	NEW JOBS	NEW INVESTMENT

II. PLEASE PROVIDE A LIST OF ALL NEW BUSINESSES WHICH LOCATED WITHIN THE ENTERPRISE ZONE DURING THE REPORTING PERIOD:

NAME/ADDRESS OF BUSINESS	NEW JOBS	NEW INVESTMENT

MO 419-1758 (7-90)

(Over)

1159-1/101Y



III. ENTER THE PERCENT CHANGE IN THE NUMBER OF VIOLENT CRIMES (MURDER, FORCIBLE RAPE, ROBBERY AND AGGRAVATED ASSAULT) COMMITTED IN THE CITY IN WHICH THE ENTERPRISE ZONE IS LOCATED, FROM THE YEAR IN WHICH THE ZONE WAS DESIGNATED TO THE MOST RECENT YEAR FOR WHICH DATA ARE AVAILABLE. IF THE ZONE CONTAINS MORE THAN ONE CITY FOR WHICH DATA ARE AVAILABLE, PROVIDE SUCH DATA FOR EACH CITY. PROVIDE COUNTY DATA FOR UNINCORPORATED AREAS IF AVAILABLE.

YEAR OF ORIGINAL ENTERPRISE ZONE DESIGNATION 19_____

PERCENT CHANGE _____ % FOR YEAR 19 _____

IV. DESCRIBE WHAT EFFORTS HAVE BEEN TAKEN DURING THE REPORTING PERIOD TO SUPPORT AND ENCOURAGE PRIVATE INVESTMENT AND THE CREATION OF NEW JOBS WITHIN THE ENTERPRISE ZONE: (E.G. ATTENDANCE AT TRADE SHOWS, PARTICIPATION IN IMPACT TRIPS, NEW MARKETING EFFORTS, HIRING OF PART OR FULL-TIME ECONOMIC DEVELOPMENT STAFF, UTILIZATION OF VOLUNTEERS, ETC.)

V. A. WHAT INFRASTRUCTURE (WATER, SEWER, STREET, ETC.) DEVELOPMENTS HAVE OCCURRED WITHIN THE ENTERPRISE ZONE DURING THE REPORTING PERIOD?

B. WHAT IS THE ESTIMATED PERCENTAGE OF STATE AND/OR FEDERAL FUNDS USED TO FINANCE SUCH INFRASTRUCTURE DEVELOPMENTS? _____ %

VI. AS REPORTED BY THE COUNTY ASSESSOR(S), WHAT IS THE TRUE VALUE IN MONEY (SEE SEC. 137.237, RSMo) OF THE PROPERTY IN THE ENTERPRISE ZONE WHICH IS TOTALLY OR PARTIALLY EXEMPT FROM AD VALOREM TAXES DURING THE REPORTING PERIOD?

\$ _____

VII. HAS A DISPLACEMENT OF EITHER PERSONS OR BUSINESSES OCCURRED DURING THE REPORTING PERIOD WITHIN THE ENTERPRISE ZONE?

☐ YES ☐ NO ☐ DON'T KNOW IF "YES", BRIEFLY DESCRIBE WHAT, IF ANY, ASSISTANCE WAS PROVIDED:

VIII. PROVIDE AN EXPLANATION OF ANY PROBLEMS INCURRED BY YOURSELF, OR ANYONE ELSE IN THE ECONOMIC DEVELOPMENT INITIATIVE IN YOUR AREA, WITH THE ADMINISTRATION OF THE ENTERPRISE ZONE PROGRAM DURING THE REPORTING PERIOD:

IX. WHAT, IF ANY, LEGISLATIVE AMENDMENTS OR CHANGES WOULD YOU RECOMMEND THAT THE DEPARTMENT PURSUE WITH RESPECT TO THE ENTERPRISE ZONE LAW?

X. DO YOU FEEL THAT THE DESIGNATION OF YOUR ENTERPRISE ZONE HAS FOSTERED ECONOMIC GROWTH AND DEVELOPMENT WHICH WOULD NOT OTHERWISE HAVE OCCURRED?

☐ YES ☐ NO ☐ DON'T KNOW

ON A SEPARATE SHEET OF PAPER, PLEASE PROVIDE US WITH ANY INFORMATION ABOUT ANY MATTER PERTAINING TO ENTERPRISE ZONES WHICH HAS NOT OTHERWISE BEEN REQUESTED WHICH YOU FEEL WE SHOULD KNOW.

DATE OF REPORT

SIGNATURE

4 CSR 85-3.040 Complaints

PURPOSE: This rule establishes the procedure for reporting complaints.

(1) Applicants who have a complaint concerning the disposition of their petitions shall make their complaint to the director according to the following procedure:

(A) The complaint must be filed within ten (10) days after receipt of notice by mail to the applicant of the disposition of the director;

(B) The complaint shall state the name of the applicant, the disposition of the director of which the applicant complains and a brief statement of the facts and reasons upon which the complaint is based;

(C) The complaint shall be signed by the chief administrative officer of the complaining applicant;

(D) If a complaint is filed requesting a hearing, the division will set a date for an informal hearing and notify the applicant of the date at least ten (10) days before the hearing.

(E) The hearing will be informal but conducted with dignity and decorum. The hearing shall begin with a statement by the division of the basis of the director's determination of which complaint has been made. After that, the applicant shall state the complaint and present to the division the facts and arguments as are relevant to the complaint; and

(F) Within ten (10) days after the completion of the hearing the director shall notify the applicant of the determination, setting forth in writing the particular facts and conclusions upon which the determination is premised. If, as a result of any hearing, the director finds the original determination incorrect, the director shall correct the determination and notify the applicant immediately following determination of the complaint.

AUTHORITY: section 135.250, RSMo 1986.
Emergency rule filed March 2, 1984, effective March 12, 1984, expired June 12, 1984.
Original rule filed March 2, 1984, effective June 11, 1984.*

**Original authority: 135.250, RSMo 1982, amended 1985, 1986, 1989, 1991.*

duly promulgated regulation pertaining to the Enterprise Zone Program.

AUTHORITY: section 135.250, RSMo 1986.
Emergency rule filed March 2, 1984, effective March 12, 1984, expired June 12, 1984.
Original rule filed March 2, 1984, effective June 11, 1984.*

**Original authority: 135.250, RSMo 1982, amended 1985, 1986, 1989, 1991.*

4 CSR 85-3.050 Withdrawal of Approval

PURPOSE: This rule establishes the conditions under which revocation of designation may occur.

Designation may be withdrawn for failure to satisfy any criteria contained in sections 135.210–135.255 and 353.060, RSMo or any